

TEMPORARY CONSTRUCTION EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Lloyd N. Marshall and Betty Marshall

Grantor, do hereby grant and convey to the CITY OF SOUTHAVEN, Grantee, a Municipal Corporation of the State of Mississippi and its successors in title a temporary construction easement being fifty (50) feet wide along the East property line of the following described premises, belonging to the said Grantors for the purpose of drainage improvements to the said property situated in DeSoto County, Mississippi, namely:

Lot 2253 of Section "K" - Southaven West Subdivision as recorded in Plat Book 4, Pages 4 & 5 in the Chancery Clerk's office of DeSoto County, Mississippi.

The said Grantee and its successors in title or any person, corporation, or utility authorized by it shall have the right of entry and departure in, from, and over said easement, walks, crosswalks, and paths for the purpose of said construction. Said Grantee or its contractor shall have the right to remove only that vegetation, fence, or other obstruction he deems necessary within the temporary construction easement.

The temporary easement on the premises being hereby granted shall not affect the Grantors' right to the use of the property. The Grantors will not be held liable for any injury that might occur while the Grantee or its contractor is in construction of said improvements on the property. The Grantee shall also secure against all liability for injury to any party or person or damage that shall result from, arise out of, or be attributed to any maintenance or repair or construction undertaken in carrying out the easement. This temporary construction easement shall terminate upon completion of said construction.

The undersigned Grantors hereby authorize the above described temporary easement and the right unto the said Grantee and its successors against the lawful claims for demand of any or all persons claiming by, through, or under the undersigned.

Executed and delivered this 18 day of Aug., 1989.

Lloyd N. Marshall
Betty Marshall

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, this undersigned authority, in and for said County and State, the within named Lloyd N. Marshall & Betty Marshall who acknowledged that they signed and delivered the above and foregoing instrument on the day and year therein mentioned as free and voluntary act and deed and for the purposes therein expressed.

GIVEN under my hand and official seal of office this 18 day of Aug., 1989.



Marlene Sprinkle
NOTARY PUBLIC

STATE MS. - DESOTO CO.
FILED
OCT 16 10 48 AM '89
RECORDED 10/17/89
DEED BOOK 219
PAGE 512
W.E. DAVIS CH. CLK.
by K Cole